



Entered on Docket
September 28, 2010

Hon. Linda B. Riegler
United States Bankruptcy Judge

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HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation Mortgage Pass Through
Certificates, Series 2005-AR4
10-73087

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Kirt D. McNally and Teri R. Witzel

Bk Case No.: 10-22003-lbr

Date: 9/15/2010

Time: 10:30 am

Chapter 13

Debtors

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to


1 Secured Creditor HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation
2 Mortgage Pass Through Certificates, Series 2005-AR4, its assignees and/or successors in interest, of
3 the subject property, generally described as 7828 Copper Canyon Road, Las Vegas, NV 89128

4 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
5 Debtors at least seven business days' notice of the time, place and date of sale.

6
7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
8 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
9 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
10 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

11
12 Submitted by:

13 **WILDE & ASSOCIATES**

14 By:  #10235
15 **Gregory L. Wilde, Esq.**
16 Attorney for Secured Creditor

17 **APPROVED / DISAPPROVED**

18 By: _____
19 David Krieger
Attorney for Debtor(s)

20 **APPROVED / DISAPPROVED**

21 By: _____
22 Rick A. Yarnall
Chapter 13 Trustee
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In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirements set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each property and whether the party has approved, disapproved, or failed to respond to the document]:

☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Debtor's counsel:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☒ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☒ failed to respond to the document

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

Debtor's counsel:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor